

Phila Soc for the Alleviation of Pub. Prisons
A

STATISTICAL VIEW
OF THE OPERATION
OF THE
PENAL CODE OF PENNSYLVANIA.
TO WHICH IS ADDED,
A VIEW OF THE PRESENT STATE
OF THE
PENITENTIARY AND PRISON
IN THE CITY OF PHILADELPHIA.

Prepared and published, in pursuance of a resolution of the Philadelphia Society for alleviating the miseries of public prisons.

32261
PHILADELPHIA:

1817.



A STATISTICAL VIEW, &c.

EVERY well informed Pennsylvanian has made himself acquainted with the benevolent principles upon which the criminal laws of this commonwealth have been reformed. The success of the system has penetrated every portion of the civilized world, and obtained for this commonwealth, the plaudits which the humane views and a successful execution of the penitentiary system have merited from the wise and good throughout the universe.

The present publication is made with a view of shewing the operation of the penitentiary system, generally, and particularly to invite the attention of all good men, who feel a due sense of the importance of the subject, to a serious consideration, of this important question.

Whether, on the facts stated, it is not absolutely necessary, immediately to pursue further measures, not only for the improvement, but for the very preservation of the system, against the evils resulting from the incompetency of the means of carrying it on, with all the effects proposed to be produced by its benevolent authors.

In the year 1795, a publication similar to the present appeared under the authority of very respectable names, subjoined to an excellent essay on the

criminal law of Pennsylvania, by the late William Bradford, Esq. formerly attorney general of this state, and of the United States, a gentleman eminently distinguished by his active benevolence, and the dignity and splendor of his public character. The present penal code was chiefly composed by that gentleman, and it will ever remain a monument of his knowledge, and love of human nature. Among other interesting facts stated in the publication referred to, are the following: that after the system had been in operation not more than two years, such was its efficacy, that out of near two hundred persons, who had at different times been pardoned, only four had returned; that there had been but two instances of conviction of picking pockets or burglaries, in the city and county for near two years; that the number of persons convicted in the several courts had constantly decreased, thirty and upwards of a session, having been frequently added to the list; that, although the city and county courts were but a few days distant, there were but five persons for trial. Such were the means then in the power of the Inspectors, of executing the system in its spirit and design, with the aid of extensive accommodations, and sufficient and suitable labor, that the rooms in the prison, and the prison yard, afforded convenient and ample room for the separation and employment of the convicts; and finally so productive was their labor, that when discharged, considerable balances were found in favour of some, and but few, who had not more

or less; that those balances often exceeded ten pounds, and that some of the prisoners appropriated part of their earnings to the support of their families. Such at that time was the happy effect of the system when properly executed.

The present state of the penitentiary affords a melancholy and striking contrast: the building in which the prisoners are confined, and the yard in which they are employed, are the same used for those purposes in the year 1795: no additional accommodations, either for the lodging or employment of the convicts have been provided.

The following facts which appear in the recent presentment of a respectable grand jury, will enable every one to appreciate the importance, indeed, necessity of giving due efficacy to this benignant system. "That while thus the grand jury notice with
 " pleasure the high degree of order and cleanliness,
 " they are compelled by a sense of duty to present
 " as an evil of considerable magnitude, the present
 " very crowded state of the penitentiary. The
 " number of persons of all classes continues to in-
 " crease, so that from thirty to forty are lodged in
 " rooms of eighteen feet square." So many are thus crowded together in so small a space, and so much intermixed, the innocent with the guilty, the young offender, and often the disobedient servant or apprentice, with the most experienced and hardened culprit; that the institution already begins to assume, especially as respects untried prisoners, the character of a European prison, and a seminary for every

vice, in which the unfortunate being, who commits a first offence, and knows none of the arts of methodised villainy, can scarcely avoid the contamination, which leads to extreme depravity, and with which from the insufficiency of the room to form separate accommodations, he must be associated in his confinement

There are at this time (January, 1817), 451 convicts in the Penitentiary; of which number, 162 have been before convicted and pardoned. The number of untried prisoners returned on the calendars, at the different sessions of the mayor's court of the city and quarter sessions of the county of Philadelphia, was—

In the year 1813,	516
1814,	538
1815,	829
1816,	1058

Having presented these reflections and truths to public notice, and beseeching a particular regard to their importance, we leave the subject to a virtuous community, upon the remedy of which there is ample opportunity and occasion for calling forth genuine benevolence and charity.

In the month of April, 1816, the Philadelphia society for alleviating the miseries of public prisons, appointed a committee to prepare and publish for the use of the society, a statistical view of the operation and effect of the amended penal code of the state of Pennsylvania, as exhibited in the numerical amount of convictions; so far as could be obtained from a recurrence to the records of the Philadelphia prison, and to such other means of in-

formation, as the committee might have it in their power conveniently to refer to. It may be proper to state, that persons convicted in any county in Pennsylvania, other than Philadelphia county, of any crime (except murder of the first degree,) if punished with imprisonment, for one year or upwards, are usually removed to Philadelphia prison.

A statement therefore of the numerical amount of convicts in that prison, together with the numerical amount, (ascertainable at Harrisburg,) of convictions throughout the State, for murder in the first degree, would present a sufficiently accurate view of the number of convictions in Pennsylvania, during the period taken, for such crimes. The committee in execution of the duty imposed upon them, have had as complete a statement as was conveniently practicable drawn up at the Philadelphia prison. They regret to state that their endeavours to add the most important item, to wit, the number of convictions in Pennsylvania, for murder of the first degree, during the period assumed, by an application to the competent authority at Harrisburg, have not been successful : with a view of obtaining this information, the publication of the present statement has been much delayed, in order to prevent further delay, it is now published with the disadvantage of exhibiting the number of convictions for murder in the first degree, in the county of Philadelphia alone.

TABLE I.

Being a view of the operation of the penal code, for a period of not quite eight years, from 1779, to 1786, the year in which the number of capital crimes, was first reduced.

By the act of 1718, the following crimes were made capital, viz. *Treason, Murder, Robbery, Burglary, Rape, the crime against nature, malicious Maiming, Manslaughter by stabbing, Arson*; and by subsequent acts, *Counterfeiting bills of credit*, or the *current coin* were added, and the crime of *arson* extended to include certain public buildings—all these crimes were capital until the first of November, 1786.

[illegible]

TABLE III.

Enumeration of crimes, from 1794 to 1802, a period of eight years.

CRIMES.	1794	1795	1796	1797	1798	1799	1800	1801	Total
Murder in the first degree,			1						1
Murder in the second degree,	2	0	5	0	2	2	0	2	13
Attempt to murder by poison,	0	0	0	0	0	0	0	0	0
Assault with intent to murder,	0	0	0	0	0	0	0	0	0
Manslaughter,	0	0	1	1	1	1	0	0	4
Mayhem,	0	0	0	0	0	0	0	0	0
Rape, and assaults with in- tent to commit,	2	1	1	0	1	0	2	0	7
Concealing the death of bas- tard child,	0	1	0	1	1	0	1	0	4
Incest,	0	0	0	0	0	0	0	0	0
Crime against nature,	0	1	0	0	0	0	0	0	1
Highway robbery, and assaults with intent to commit,	0	4	2	0	0	0	3	1	10
Arson and other burnings,	0	1	0	0	1	2	0	2	6
Burglary, accessory to, and attempts to commit,	3	1	0	2	5	2	5	2	20
Horse stealing,	6	9	16	15	13	2	5	17	83
Larceny,	37	40	75	61	67	104	56	89	529
Receiving stolen goods, knowing, &c.	0	2	0	3	0	2	1	4	12
Perjury,	0	0	0	1	0	0	0	1	2
Counterfeiting the coin, and forgery, uttering and pub- lishing base coin and forg- ed papers, &c.	5	9	3	7	6	7	1	1	39
Bigamy,	1	1	0	0	1	0	1	0	4
Fraud, deceit, conspiracy, cheat, &c.	0	0	2	2	2	1	1	0	8
Misdemeanors, not specified,	0	2	0	0	1	0	0	0	3
	56	72	105	93	101	123	76	119	746

TABLE IV.

Enumeration of crimes, from 1802 to 1810, a period of eight years.

CRIMES.	1802	1803	1804	1805	1806	1807	1808	1809	Total
Murder in the first degree,	2	7	0	1	4	1	2	0	2
Murder in the second degree,	0	1	0	0	0	0	1	0	16
Attempt to murder by poison,	0	1	0	0	0	0	0	0	1
Assault with intent to murder,	1	0	1	2	0	3	8	0	15
Manslaughter,	1	1	3	0	0	2	0	0	7
Mayhem,	0	0	0	0	0	1	0	0	1
Rape, and assaults with intent } to commit,	0	0	0	0	0	0	5	0	5
Concealing death of bastard } child,	2	2	0	0	2	1	0	0	7
Incest,	0	0	0	0	0	0	0	1	1
Crime against nature,	0	0	1	0	0	0	0	0	1
Highway robbery, and assaults } with intent to commit,	0	0	0	1	0	1	3	0	5
Arson, and other burnings,	1	9	4	1	0	1	0	3	19
Burglary, accessory to, and at- } tempts to commit,	3	10	2	4	6	18	5	9	57
Horse stealing,	12	3	2	2	5	4	5	7	40
Larceny,	54	64	54	56	94	75	100	84	531
Receiving stolen goods, know- } ing, &c.	2	4	2	2	2	2	1	0	15
Perjury,	0	0	1	0	0	0	0	1	2
Counterfeiting the coin, and } forgery, uttering, and pub- lishing base coin and forged papers, &c.	2	5	3	4	5	4	10	12	45
Bigamy,	0	0	0	0	1	0	0	0	1
Fraud, deceit, conspiracy, } cheat, &c.	0	2	2	6	0	3	5	0	18
Misdemeanors not specified,	0	0	1	3	2	3	3	3	15
	80	108	76	82	121	119	146	120	850

TABLE V.

Enumeration of crimes, from 1810 to 1816, a period of six years.

CRIMES.	1810	1811	1812	1813	1814	1815	Total
Murder in the first degree,,	1	1	4	4	3	4	17
Murder in the second degree,	1	0	0	0	0	0	1
Attempt to murder by poison,	0	0	0	2	1	1	4
Assault with intent to murder,	3	4	0	1	4	0	12
Manslaughter,	0	0	0	0	0	0	0
Mayhem,	0	0	0	0	0	0	0
Rape, and assaults with intent } to commit,	0	1	0	0	2	2	5
Concealing death of bastard } tard child,	0	0	0	0	0	0	0
Incest,	0	0	0	0	0	0	0
Crime against nature,	0	0	0	0	0	0	0
Highway robbery, and assaults } with intent to commit,	3	2	1	1	6	2	15
Arson and other burnings,	2	1	3	0	3	3	12
Burglary, accessory to, and at- } tempts to commit,	9	10	7	12	2	8	48
Horse stealing,	3	4	3	0	1	6	17
Larceny,	65	132	96	119	105	189	706
Receiving stolen goods, know- } ing, &c.	0	0	0	1	0	3	4
Perjury,	0	0	0	0	0	0	0
Counterfeiting the coin, and } forgery, uttering and pub- } lishing base coin and forg- } ed papers, &c.	6	5	3	9	6	6	35
Bigamy,	1	1	0	0	0	0	2
Fraud, deceit, conspiracy, } cheat, &c.	0	4	0	1	0	0	5
Misdemeanors not specified,	3	1	0	0	2	1	7
	97	166	117	150	135	225	890

TABLE VI.

Containing a statement of every denomination of crime, from the passage of the act of 1794, to the close of 1815, a period of 22 years. To this is subjoined an enumeration of the proportion from each county in the commonwealth.

STATEMENT OF THE NUMBER AND SPECIES OF CRIMES

committed within the state of Pennsylvania, for which persons have been convicted and sentenced to suffer an imprisonment for the term of one year and upwards—(when the servitude is for a shorter period, convicts are not removed to the Penitentiary, but remain in the prison of the county where convicted)—in the Gaol and Penitentiary, in the city of Philadelphia, from the 22d day of April, 1794, when the punishment of death, except for murder in the first degree, was abolished to the 31st day of December, 1815.

SPECIES OF CRIMES.	1794	1795	1796	1797	1798	1799	1800	1801	1802	1803	1804	1805	1806	1807	1808	1809	1810	1811	1812	1813	1814	1815	Total
Murder in the first degree,*	2	0	0	5	0	0	2	2	0	2	7	0	1	4	1	0	1	1	4	4	3	4	2
Murder in the second degree.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	45	
Attempt to murder by poison.	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2	1	19	
Assault with intent to murder.	0	0	1	1	1	1	0	0	1	1	1	3	0	0	3	8	0	0	0	2	1	4	23
Manslaughter.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	
Mayhem.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	
rape, and assaults with intent to commit.	2	1	1	0	1	0	2	0	0	0	0	0	0	0	0	5	0	0	1	0	0	2	17
incestuous death of bastard child.	0	1	0	1	1	0	1	0	2	2	0	0	2	1	0	0	0	0	0	0	0	0	11
riot.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	
fine against nature.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
highway robbery, and assaults with intent to commit.	0	4	2	0	0	0	3	1	0	0	0	1	0	1	0	3	2	1	3	2	1	6	30
poison, and other burnings.	0	1	0	0	1	2	0	2	1	9	4	1	0	1	0	3	2	1	3	0	3	3	37
vagrancy, accessory to, and attempts to commit.	3	1	0	2	5	2	5	2	3	10	2	4	6	18	5	9	9	10	7	12	2	8	125
house stealing.	6	9	16	15	13	2	5	17	12	3	2	5	4	5	7	3	4	3	0	1	6	149	
arson.	37	40	75	61	67	104	56	89	54	64	54	56	94	75	100	84	65	132	96	119	105	189	
receiving stolen goods, knowing, &c.	0	2	0	3	0	2	1	4	2	4	2	2	2	2	1	0	0	0	0	1	0	3	31
perjury.	0	0	0	1	0	0	1	0	0	1	0	0	0	0	0	1	0	0	0	0	0	4	
counterfeiting the coin, and forging, uttering, and publishing base coin and forged papers, &c.	5	9	3	7	6	7	1	1	2	5	3	4	5	4	10	12	6	5	3	9	6	119	
bigamy.	1	1	0	0	1	0	1	0	0	0	0	0	1	0	0	0	1	1	0	0	0	7	
Fraud, deceit, conspiracy, cheat, &c.	0	0	2	2	2	1	1	0	0	2	2	6	0	3	5	0	0	4	0	1	0	0	31
Misdemeanors not specified.	0	2	0	0	1	0	0	0	0	0	1	3	2	3	3	3	3	3	1	0	0	2	1
	56	72	105	93	101	123	76	119	80	108	76	82	121	119	146	130	97	166	117	130	135	22	2486

* Information as to the number convicted and executed, can be obtained from the office of the secretary of the commonwealth only.

DISTRIBUTIVE ABSTRACT

Of the above the number from the several counties are as follows, viz.

1 Philadelphia.	1717
2 Bucks.	47
3 Berks.	72
4 Chester.	98
5 Lancaster.	87
6 York.	44
7 Cumberland.	34
8 & 9 Northampton and Wayne.	49
10 Northumberland.	15
11 Washington.	35
12 13 & 14 Armstrong, Jefferson and Irdiana.	1
15 Fayette.	17
16 Bedford.	13
17 Franklin.	19
18 Montgomery.	27
19 Dauphin.	47
20 Luzerne.	20
21 Huntingdon.	12

Carried over.	2354
22 Beaver.	-
23 & 24 Allegheny and Butler.	-
25 Mifflin.	35
26 Delaware.	4
27 & 28 Somerset and Cambria.	45
29 Lycoming.	14
30 31 & 32 Centre, Clearfield, and McKean.	2
33 Greene.	2
34 Adams.	1
35 36 & 37 Erie, Crawford, and Warren.	15
38 Columbia.	2
39 Bradford.	1
40 Tioga.	2
41 Lehigh.	0
42 Union.	1
Total.	2487

2354



TABLE VII.

Gives a circumstantial view of the state of the penitentiary and prison, on the 19th July, 1816, specifying the number of convicts then confined; from each county, the several employments at which they were placed, the number at each employment; and the number of untried persons at that period.

STATE OF THE PENITENTIARY,
JULY 19th, 1816.

Convicts, whose term of service is one year and upwards.

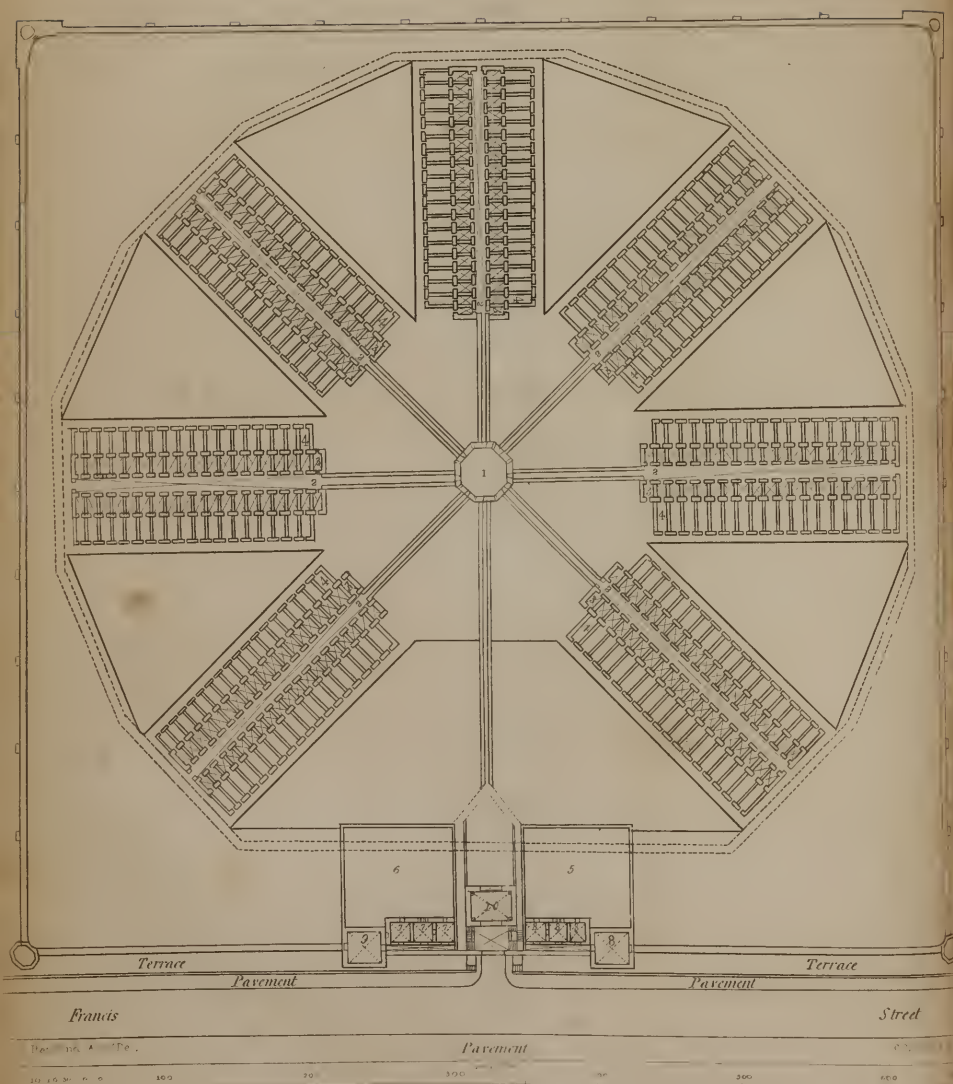
COUNTY.	No.	COUNTY.	No.	EMPLOYMENT.	No.
1 Philadelphia,	231	26 Adams,	1	Sawing stone, and	166
2 Bucks,	11	27 Centre,	1	ted with it,	
3 Chester,	21	28 Beaver,	0	Carpenters,	4
4 Lancaster,	12	29 Butler,	0	Tailors,	11
5 York,	4	20 Mercer,	0	Shoemakers,	36
6 Cumberland,	0	31 Crawford,	1	Brushmakers,	6
7 Berks,	8	32 Erie,	0	Cabinet-makers,	1
8 Northampton,	10	33 Warren,	0	Blacksmiths,	5
9 Bedford,	2	34 Venango,	0	Chipping Logwood,	4
10 Northumber- land,	4	35 Armstrong,	0	Cutting Fur,	19
11 Westmoreland,	5	36 Indiana,	0	Weavers,	21
12 Washington,	8	37 Jefferson,	0	Turners,	2
13 Fayette,	1	38 McKean,	0	Coopers,	2
14 Franklin,	1	39 Clearfield,	0	Spinning, Reeling, &c.	40
15 Montgomery,	8	40 Potter,	2	Sewing and Knitting,	6
16 Dauphin,	4	41 Tioga,	0	Cooking, baking, at-	
17 Luzerne,	4	42 Cambria,	0	tending on sick, la-	
18 Huntingdon,	3	43 Bradford,	0	borers, and those	
19 Allegheny,	6	44 Susquehanna,	0	confined in cells,	84
20 Mifflin,	1	45 Schuylkill,	0		
21 Delaware,	2	46 Lehigh,	3		
22 Lycoming,	1	47 Union,	4		
23 Somerset,	0	48 Columbia,	0		
24 Greene,	0				
25 Wayne,	0				
				Total,	407

Of which were—Whites, 231 }
 Negroes and mulattoes, 176 } 407 { 344 Males,
 63 Females,
 Additional from the city and county of Philadelphia being } 25
 those whose time of service does not amount to one year }
 Untried prisoners and vagrants, 283
 And amount brought forward, 407
 Total, 715





PLAN OF THE NEW PENITENTIARY.



1. Observatory. 2. Corridors. 3. Cells. 4. Yards to cells. 5. Warden's Garden. 6. Domestic garden. 7. Inspectors' apartments over these is the hospital and beneath are the kitchens and offices. 8. Wardens' apartments. 9. Inspectors of prison over which are two hospital rooms. 10. East of the street terrace over which is the apothecary's office above which is the